THE RELEVANCE OF ARTIFICIAL INTELLIGENCE IN THE CRIMINAL INVESTIGATION: LEGAL AND ETHICAL PROSPECTS

SHORT SYNOPSIS

Submitted in partial fulfillment of the requirements of the degree of

DOCTOR OF PHILOSOPHY

by

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ABSTRACT

Artificial intelligence (AI) is both necessary and powerful in the twenty-first century. People are becoming increasingly advanced in technology and artificial intelligence, utilizing it to achieve remarkable results. However, everything has a cost; therefore, results achieved by AI are liable not only to benefit the nation but also to people to commit crimes such as cyber frauds, sextortion, sim swap etc. There are three organs of government i.e Executive, Judiciary and Legislative. Although forensic and investigating officers i.e. Executives utilize artificial intelligence tools such as Pratibimb portal, Face or skull recognition softwares, Genealogy softwares, etc., in criminal investigations. Furthermore, in the case of Kishore Chand vs State Of Himachal Pradesh,[1] The Judiciary believed that there must be focus over advancement in Scientific AI investigating techniques and there should be proper training of police officials "so that the real offender would be brought to book and the innocent would not be exposed to prosecution." Yet, no legislation exists to maintain a check and balance between AI-advanced criminal investigations and people's fundamental rights.

Previous studies have majorly relied over the benefits and concerns related to AI in criminal investigation. Thereafter, the study also depicted that there is a lack of resources with investigating agencies as specified in Madheshwardhari Singh And Anr. vs State Of Bihar.[2] As well as lack of expertise of both Investigating Agencies and Law professionals in AI contributes to delay in trial, which undermines Article 21 of the Indian constitution i.e right to a speedy trial as confirmed in Hussainara Khatoon & Ors vs Home Secretary, State Of Bihar.[3] Moreover, the absence in legal framework and ethical guidelines to access AI in criminal investigation leads to serious concerns regarding a person's fundamental rights, data privacy, transparency and accountability. Thus these issues highlight the pressing requirement of an advanced technology and specific legal and policy approach to secure the rights of people, to keep check over investigating officers and to promote innovation in an ethical manner which will mitigate personal and algorithmic bias in criminal investigation.

[1] AIR 1990 SC 2140.
[2] AIR 1986 PATNA 324
[3] AIR 1979 SUPREME COURT 1369

This research explores the nature, scope, relevance and challenges of AI in Criminal investigation and also focuses on the Legislative framework associated with AI in criminal investigation, the role of Indian Judiciary in support of AI in criminal investigation and inspect the advancement of Law Enforcement or Investigating authorities to adapt AI in criminal investigation for the speedy disposal of cases efficiently and effectively. Furthermore, to understand the foreign perspective the research addressed how the EU and USA are managing the complex issue of advanced or tech savvy criminals and their investigation with the help of AI via technology, legislation and the judiciary.

Keywords: Artificial Intelligence, Tools, Criminal Investigation, Police, Law Enforcement, Judiciary, Legal, Ethics, Privacy.

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1. Introduction

Artificial intelligence (AI) is becoming essential to deal with every task to save time and increase productivity. Thereafter, a criminal investigation is a task that is related to the speedy disposal of cases as well as the rights of an individual. Furthermore, India is the most populated developing nation and has a high number of pending cases in every level of court. Hence, utilizing AI in criminal investigations and obtaining results most effectively is a fundamental necessity for law enforcement authorities to serve justice in a timely manner. Artificial intelligence and criminal investigation are a combination of rational reasoning and a human-centered method to look beyond a specific point. Where technology, computer, neural networks, knowledge representation, automated reasoning, machine learning interact with law enforcement, forensics, evidence, ethical or legal prospects, criminal philosophy, criminal jurisprudence, and the criminal justice system.

There are many benefits of using AI in criminal investigation for law enforcement, i.e., executive, such as reduction of human negligence and bias, high level of accuracy, and increase in efficiency. As per the report by IndiaAI Crime GPT is emerging as a solution of many unsolved cases while dealing with Lucknow Police and support from government to have data of approx 9 lakh criminals[1], on the other hand as reported in Lok Sabha in March 2025 Pratibimb portal which was launched by the India's Union Home Ministry has embarked its presence by the arrest of approx 6000 cyber criminals[2]. Moreover, as per the article by The Indian Police Journal,[3] Genealogy technology, Face and Skull recognition AI tools, Pattern recognition software, etc, are already in existence to help Investigating officers to catch the criminal at a rapid speed. There are many such instances where AI has done a splendid job in catching a criminal efficiently. In the well-known case of Sheena Bora and Indrani Mukerjea, an artificial intelligence-based forensic method called facial reconstruction was used to recreate a face from a skull through deep learning. Moreover, AI tools such as GANs (Generative Adversarial Networks) were also

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[1] IANS. (2024, March 16). *This is how new Crime GPT tool will help UP Police*. *Hindu Post*. https://hindupost.in/science-technology/this-is-how-new-crime-gpt-tool-will-help-up-police/#

[2] NDTV Profit Desk. (2025, March 12). *Home Ministry launches 'Pratibimb' and 'Samanvaya' for cybercrime coordination*. NDTV Profit. https://www.ndtvprofit.com/nation/home-ministry-launches-pratibimb-and-samanvaya-for-cybercrime-coordination

[3] Bureau of Police Research and Development. (2025). The Indian Police Journal (Vol. 72, No. 1) [Special edition on Artificial Intelligence in Policing]. Ministry of Home Affairs, Government of India. https://bprd.nic.in/uploads/update/The%20Indian%20Police%20Journal%20Jan-June-2025.pdf

considered to generate realistic facial images that can be matched to missing person databases (George et al., 2020). On the other hand, there are many loopholes and challenges with AI, such as algorithmic bias, privacy, and accountability.

The Legislative and Judiciary are two out of three branches of government that are supposed to maintain social and political balance in society. As AI is a new concept to the Indian Legislature and the Judicial system. Moreover, there is no AI-specific law in India. The European Union is the first one to pass an Act, i.e AI Act, in March 2024. Furthermore, the Indian Judiciary is using AI tools such as SUPACE, SUVAS, Chat GPT and etc., for their convenience but they are forced to doubt the Forensic evidence because the credibility of such evidence is dependent on how samples are obtained and stored. In many cases, forensic samples are contaminated, mishandled, or delayed before reaching the laboratory, resulting in faulty results. If AI or forensic technologies analyze defective materials, the results will be unreliable; hence, courts used to be wary about accepting such evidence during trials. If AI is involved in an investigation from the evidence collection to analysis, the result will be more reliable. For that particular reason, the Indian government has made mandatory provision to have forensic experts during evidence collection, but the lack of advancement with AI tools made no significant difference in the Investigation.

1.1. Need for AI in Criminal Investigation

Artificial intelligence (AI) is being used in use of criminal investigations to discover patterns, identify people, and quickly evaluate massive volumes of data[4]. It may learn from experience in the same way that humans do. Facial recognition is an important application since it allows suspects to be identified without the need for photos or videos. AI also identifies accidents, analyzes medical imaging, and aids in forensic science jobs such as DNA analysis, which can help solve old cases with degraded evidence. For Law enforcement, it analyzes videos and photos to detect faces, weapons, license plates, or suspicious actions, even in low-quality material, and it can forecast criminal conduct by following patterns of movements. Other applications of AI include recognizing gunshots through sound recordings and forecasting crime patterns with big data sets. These tools save time, minimise errors, and aid

[4] Dakalbab, F., Talib, M. A., Abu Waraga, O., & Bou Nassif, A. (2022). Artificial intelligence & crime prediction: A systematic literature review. Social Sciences & Humanities Open, 6(1), 100342. https://doi.org/10.1016/j.ssaho.2022.100342

investigations; by serving as an extra set of "eyes" for professionals, AI increases accuracy, speed, and efficiency in public safety and criminal investigations[5].

2. Significance of the study

Crimes are evolving in the 21st century; it is now required to investigate criminal activity to learn the truth and use artificial intelligence to apprehend offenders quickly so that the victim can receive justice and society as a whole can live in a safer environment. Furthermore, the evidence generated by AI is more precise and has the power to affect people's perspectives. Thereby, the special training should be provided to the organisations that are dealing with criminal investigations. This study also focuses on analysing AI's role in Forensic Analysis.

3. Literature Review

The proposed study aims to review the various legislations and research papers related to Criminal Investigation in India and compare them with the European Union (EU) and the United States (US). The objective of the Literature Review is to collect data and gaps from various legislation or statutes, books, reports, decisions, and articles published in various magazines and journals, which are referred to as the leading sources of information.

- **Akansha Arora, Top-10 Leading Countries in Artificial Intelligence (AI), Check the List (2025)**

The paper defines that Artificial Intelligence (AI) is rapidly transforming economies, jobs, and technology. The global AI industry is predicted to reach $243.70 billion by 2050, expanding at a 36.6% annual rate from 2024 to 2030. The United States is the leader in AI research, innovation, and investments, followed by China, the United Kingdom, and India, all of which contribute significantly to global AI development. (need to remove box)

[5] Rigano, C. (2019, January). Using artificial intelligence to address criminal justice needs. *NIJ Journal, 280*, 1–11. https://nij.ojp.gov/library/publications/using-artificial-intelligence-address-criminal-justice-needs

- **Navin Kumar, The Role of Artificial Intelligence in Criminal Investigations in India (2025)**

  The paper highlighted how Artificial intelligence is becoming an important tool in criminal investigation in India, such as when it is used for facial recognition, predictive policing, and cybercrime prevention. It increases speed and accuracy while raising worries about privacy, data security, and prejudice. India's poor legal framework for AI application in law enforcement raises concerns, emphasizing the need for greater controls and protections.

- **Dr. Princy Singla, The Impact Of Technology On Criminal Investigations And Evidence (2025)**

  The paper emphasized that the technology is transforming the way crimes are investigated by boosting evidence collection and analysis. AI, big data, biometrics, and digital forensics are all tools that can help speed up and improve the accuracy of investigations. Modern technologies, such as predictive policing and 3D crime scene mapping, expand on traditional techniques like fingerprint and DNA analysis. However, concerns about privacy, bias, and unequal access persist. The study recommends strict ethical guidelines and improved training for fair and effective use.

- **Paul De Hert & Georgios Bouchagiar, Specific laws governing use of ai in criminal procedure and attentive criminal judges (2024)**,

  This paper examines how artificial intelligence is utilized to enhance decision-making in the United States criminal justice system, highlighting questions about fairness, privacy, and openness. It emphasizes the necessity for AI tools to respect due process rights, such as access to evidence and the capacity to question it. Experts favor "glass box" AI transparent and explainable systems over "black box" models, particularly in critical choices such as sentencing or proving guilt.

- **Dr. Jarrod Sadulski, Artificial Intelligence in Crime Detection: How It's Useful (2024)**

  This paper explained that Artificial Intelligence (AI) is improving law enforcement's ability to detect, prevent, and forecast crimes. Deep learning, machine learning, and facial recognition tools help with victim identification, pattern analysis, and online

activity tracking. AI can detect crime patterns, track down offenders, and aid with predictive policing. However, ethical considerations and the need for protection remain relevant. Continuous training is required for law enforcement to use AI tools effectively, balancing innovation with accountability and respect for human rights.

- **Ellen Joyner-Roberson, Three ways generative AI can assist in criminal investigations (2024)**

  The paper revolved around AI, machine learning, and Generative AI (GenAI) where they are revolutionizing criminal investigations by assisting with fraud detection, conversation analysis, and incident assessment. NLP and big language models help locate crucial details, identify patterns, and swiftly summarize reports. GenAI also facilitates post-incident reviews and enhances decision-making. These technologies enable law enforcement to work more quickly, precisely, and with greater understanding.

- **Thaddeus L. Johnson, Natasha N. Johnson, Volkan Topalli, Denise McCurdy, Aislinn Wallace, Police facial recognition applications and violent crime control in U.S. cities (2024).**

  This study looked at how police used facial recognition from 1997 to 2020 in 268 cities across the United States. It was discovered that the technology helped to reduce violent crimes, particularly homicides, without creating racial gaps or overpolicing. Cities that adopted it earlier reaped larger rewards. The findings indicate that facial recognition can increase public safety when utilized appropriately by law enforcement.

- **Anuradha Gandhi and Isha Sharma, Supreme Court's guidance on the use of generative AI tools in Court Proceedings (2024)**

  The study highlighted the Supreme Court of Singapore's 2024 guidance, which enables the use of Generative AI for court document preparation beginning October 1, 2024. It applies to all courts and underscores that users bear full responsibility for AI-generated information. Users must fact-check, verify accuracy, refrain from employing AI to generate or manipulate evidence, and follow intellectual property and confidentiality regulations. The document emphasizes that artificial intelligence

should support legal work rather than replace human judgment or professional responsibility.

- **Rowena Rodrigues, Legal and human rights issues of AI: Gaps, challenges and vulnerabilities (2020)**,

  This article delves into significant legal and human rights issues related to AI, including bias, lack of transparency, privacy threats, and accountability. Using the concept of "vulnerability," it demonstrates how AI might hurt individuals and groups, particularly the vulnerable. It provides an overview of current solutions, gaps, and challenges, with the goal of guiding future research and promoting human rights protection in AI development and use.

- **Hifajatali Sayyed, Artificial intelligence and criminal liability in India: exploring legal implications and challenges (2024)**

  This article investigates how AI affects criminal culpability in India, particularly when it operates independently. It poses issues of accountability, legal personhood, data privacy, and AI-generated fake content, such as deepfakes. The report emphasizes the importance of robust legislative frameworks, ethical AI use, and data protection in addressing AI-related crimes and ensuring responsible technology use within India's criminal justice system.

4. Statement of problem

With the rapid advancement of Artificial Intelligence, criminals are increasingly leveraging technology to commit hard-to-trace crimes. However, the criminal justice system, comprising investigating authorities, law enforcement personnel, and legal professionals, often lacks the requisite expertise and technological competence to effectively counter these evolving threats. This mismatch creates significant gaps in timely investigation, evidence analysis, and ultimately, the delivery of justice. Moreover, the accelerated integration of AI into various aspects of criminal activity and investigation has outpaced the development of appropriate legal frameworks. The absence of robust legislative regulations and ethical guidelines governing the use of AI in criminal investigations raises serious concerns regarding individual rights, data

privacy, transparency, and accountability. These challenges underline the urgent need for a comprehensive legal and policy approach to ensure the responsible and effective use of AI in the criminal justice system, while upholding constitutional safeguards and procedural fairness.

5. Research Gaps

1. There is a lack of legislative recognition for the regulation of Artificial Intelligence in criminal investigation.
2. Privacy rights are insufficient to deal with AI.
3. The evolution of current investigation techniques/training does not align with the pace of the evolution of the abuse of AI in crime.

6. Objectives of the study

To attain the purpose of the research, the following objectives have been set forth.

1. To understand the nature and scope of Artificial intelligence in criminal investigation.
2. To explore the relevance and emerging challenges associated with the integration of AI technologies in criminal investigation processes.
3. To analyse the legislative framework for AI in criminal investigation.
4. To evaluate the judicial interpretations and approaches adopted by higher courts with respect to the use of AI in criminal investigations
5. To assess the effectiveness of AI tools and techniques in enhancing the accuracy, efficiency, and reliability of criminal investigations and forensic analysis.
6. To examine how adequate training of law enforcement personnel and the efficiency of proper investigative methodologies in handling AI tools contribute to the delivery of justice.
7. To propose a comprehensive policy framework for the responsible, transparent, and legally compliant implementation of AI in criminal investigations.

7. Research Questions

To attain the objectives of the research, the following research questions need to be examined.

1. What is the nature and scope of AI in relation to criminal Investigations?
2. What are the relevance and challenges of AI in criminal investigation?
3. What is the role of the Legislature to promote the use of AI in criminal Investigation?
4. How the judiciary is supporting the use of AI in criminal investigation
5. What Techniques are used to be confronted by different legal entities while dealing with AI in criminal investigation?
6. How are the legislative frameworks and judicial approaches of the European Union and the United States contributing to governing the use of Artificial Intelligence in criminal investigations?
7. What modifications are required in current statutes to balance the use of AI in criminal investigation with human rights?

8. Research Methodology

The research uses both non-doctrinal (i.e., empirical) and doctrinal techniques of investigation to achieve the objectives of the research. The study is an interdisciplinary socio-legal investigation that links the domains of law and sociology. In order to conduct doctrinal research, secondary sources have been used. These sources, which are properly described in the reference section, primarily consist of Dissertations, theses, Research Papers, magazines, newspaper editorials, websites, Reports from the Nation, and online publications, and the most current national and international court decisions are just a few of the sources that are used. The non-doctrinal research is based on the primary sources that the researcher gathered by adhering to the research methods described below.

8.1. Universe for the Study: For the non-doctrinal study, the area will be the entire territory of India, and data shall be collected through interview schedules with personal interaction and a Questionnaire with the focus group.

8.2. Sampling Technique: For research, the sampling technique will be Convenience, purposive, and snowball.

8.3. Sample Size: The sample size for the study will be approximately 65,0, which will include Academicians, Advocates, Police, Forensic experts, and Criminal psychologists.

9. Hypotheses

1. *Ho:* The use of Artificial Intelligence in criminal investigations does not enhance the accuracy of evidence collection and contribute to timely justice.

   H1 : The use of Artificial Intelligence in criminal investigations enhances the accuracy of evidence collection and contributes to timely justice.

2. *Ho* : In the absence of legal regulation and ethical safeguards, Artificial Intelligence in Criminal Investigation does not pose risks to individual rights.

   H1 : In the absence of legal regulation and ethical safeguards, Artificial Intelligence in Criminal Investigation poses risks to individual rights.

10. Scheme of Study

The research has been divided into 6 chapters.

Chapter 1. Introduction

Chapter 2. Relevance and Challenges of Artificial Intelligence in Criminal Investigation.

Chapter 3. Legislative Approach for Artificial Intelligence-generated Evidence.

Chapter 4. Judicial trends in the use of Artificial Intelligence in Criminal Investigation.

Chapter 5. Empirical analysis of Artificial Intelligence adoption in Criminal Investigation.

Chapter 6. Conclusion and Suggestions

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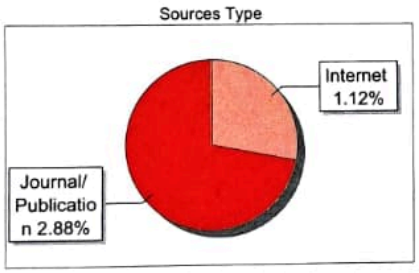

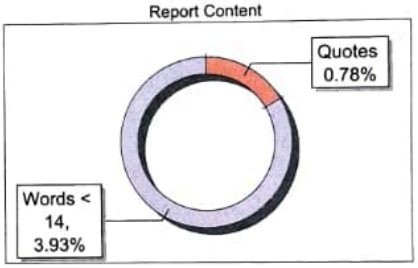

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Year *2025*

ABSTRACT

Artificial intelligence (AI) is both necessary and powerful in the twenty-first century. People are becoming increasingly adept at utilizing technology and artificial intelligence to achieve remarkable results. However, everything has a cost; therefore, results achieved by AI are liable not only to benefit the nation but also to people to commit crimes such as cyber fraud, sextortion, SIM swap, etc. There are three organs of government, i.e, Executive, Judiciary, and Legislative. Although forensic and investigating officers, i.e., Executives, utilize artificial intelligence tools such as Pratibimb portal, Face or skull recognition software, Genealogy software, etc., in criminal investigations. Furthermore, in the case of Kishore Chand vs State

22.09.25

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Submission Information

Author Name	Saloni Mishra
Title	THE RELEVANCE OF ARTIFICIAL INTELLIGENCE IN THE..
Paper/Submission ID	4383479
Submitted By	netrapal.library@mru.edu.in
Submission Date	2025-09-19 14:07:41
Total Pages	12
Document type	Synopsis

Result Information

AI Text: **6 %**

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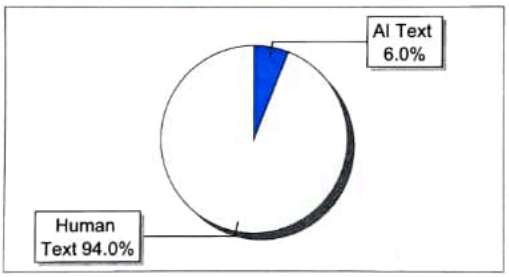

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